

1 ENRIQUE ZARAGOZA  
C.D.C. # H-22428  
2 CALIFORNIA CORRECTIONAL-  
INSTITUTION  
3 P.O. BOX, 1906  
TEHACHA, CA. 93581

4  
5 IN PRO PRIA PERSONA

6  
7 UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9  
10 ENRIQUE ZARAGOZA  
PETITIONER

NO. 08 1182

11  
12 V.

13 W.J. SULLIVAN, WARDEN  
RESPONDENT

14  
15 MOTION AND DECLARATION  
FOR APPOINTMENT OF  
COUNSEL

16 PETITIONER ENRIQUE ZARAGOZA MOVES  
17 THE COURT FOR AN ORDER APPOINTING COUNSEL  
18 AT PUBLIC EXPENSE. see U.S.C. section 1915(d);  
19 18 U.S.C. section 3006 A (a)(2)(B); also Wey-  
20 grant v. Look, 718 F.2d 952, 954 (9th Cir. 1983).  
21 PETITIONER IS INDIGENT. IN FORMA PAUPERIS  
22 DECLARATION IS ATTACH TO WRIT OF HABEAS  
CORPUS AND THIS MOTION.

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FILED  
FEB 27 2008  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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CW  
(PR)

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DECLARATION IN SUPPORT OF  
MOTION FOR APPOINTMENT OF  
COUNSEL

Counsel should be appointed because the issues in this case are particularly complex, see *Dillon v. U.S.* (9th Cir 1962) 307 F.2d 445; *Hawkin v. Bennett* (8th Cir 1970) 423 F.2d 948.

PETITIONER HAS ATTEMPTED TO DEFEND HIMSELF IN PROPRIA PERSONA. HE HAS A 9th GRADE POINT AVERAGE EDUCATION. HIS LACK OF EDUCATION HAS CAUSED HIM HARM IN THE ABILITY TO PRESENT AN ACCEPTABLE INTERPETATION OF HIS CONSTITUTIONAL RIGHTS.

PETITIONER SHOULD be appointed counsel in order to meet the ends of JUSTICE IN THIS ACTION. see, *Gideon v. Wainwright*, 372 U.S. 335, 83 S.Ct 792, 9 L.Ed. 2d 799 (1963) (holding that a defendant charged with a serious offense has the right to appointed counsel)).

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS DECLARATION WAS EXECUTED AT THE CALIFORNIA CORRECTIONAL INSTITUTION, AT TEHACHAPI CALIFORNIA ON FEBRUARY 13, 2008.

RESPECTFULLY SUBMITTED  
 BY, Enrique Zaragoza  
 ENRIQUE ZARAGOZA  
 PETITIONER IN PRO PER

